

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Dale Marquese Hester

Docket No. 7:10-CR-47-1D

Petition for Action on Probation

COMES NOW Djoni B. Barrett, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Dale Marquese Hester, who, upon an earlier plea of guilty to Possess With Intent to Distribute an Amount of Marijuana and Aiding and Abetting, in violation of 21 U.S.C. §841(a)(1) and 18 U.S.C. §2, was sentenced by the Honorable James C. Dever III, U.S. District Judge, on August 17, 2010, to a 36 month term of probation under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall perform 100 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required \$200 fee.
2. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
3. The defendant shall participate in a program of mental health treatment, as directed by the probation office.
4. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
5. The defendant shall not go on or enter Camp Lejeune or New River Military Reservations during the probationary term.
6. The defendant shall participate in a cognitive behavioral program as directed by the probation office.
7. The defendant shall cooperate in the collection of DNA as directed by the probation officer.
8. The defendant shall pay a special assessment of \$100.00.

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RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: At the onset of supervision, the defendant was employed as a laborer with Atlantic Construction Company. This company has current worksites aboard Camp Lejeune, and the defendant has been unable to perform the work due to his restrictive condition of supervision of not entering Camp Lejeune. To assist him with job readiness skills, the probation officer is recommending the conditions of supervision be modified to include cognitive behavioral training and educational services.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that probation be modified as follows:

1. The defendant shall participate in a vocational training program as directed by the probation office.
2. The defendant shall participate in a cognitive behavioral program as directed by the probation office.
3. The defendant shall participate in an educational services program as directed by the probation officer. Such program may include GED preparation, English as a Second Language classes, and other classes designed to improve the defendant's proficiency in skills such as reading, writing, mathematics, or computer use.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Kevin L. Connolley
Kevin L. Connolley
Supervising U.S. Probation Officer

/s/ Djoni B. Barrett
Djoni B. Barrett
U.S. Probation Officer
472-C Western Blvd.
Jacksonville, NC 28546-6862
Phone: (910) 347-9038
Executed On: October 5, 2010

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ORDER OF COURT

Considered and ordered this 6 day of October, 2010, and ordered filed and made a part of the records in the above case.

James C. Dever
James C. Dever III
U.S. District Judge